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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

CYNTHIA K. DAVIS,)	
Plaintiff,)	
vs.)	Case No. 4:14 CV 1129 CDP
CITIBANK, N.A.,)	
Defendant.)	

<u>INITIAL CASE MANAGEMENT ORDER - TRACK 3: COMPLEX</u>

Pursuant to the Civil Justice Reform Act Expense and Delay Reduction Plan and the Differentiated Case Management Program of the United States District Court of the Eastern District of Missouri, and the Rule 16 Conference held on April 23, 2015,

IT IS HEREBY ORDERED that the following schedule shall apply in this case, and will be modified only upon a showing of exceptional circumstances:

I. INITIAL DISCOVERY SCHEDULE

- 1. This case has been assigned to Track 3 (Complex).
- 2. All motions for joinder of additional parties or amendment of pleadings shall be filed no later than <u>October 12, 2015</u>.
- 3. Discovery in this matter will be phased, with discovery on issues relevant to class certification and the merits of the named plaintiff's case to be conducted first. Disclosure as to these limited issues shall proceed in the following manner:

- (a) The parties shall make all disclosures required by Rule 26(a)(1), Fed. R. Civ. P., no later than **June 15, 2015**.
- (b) Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed. R. Civ. P., no later than <u>December 1, 2015</u>, and shall make expert witnesses available for depositions, and have depositions completed, no later than <u>January 4, 2016</u>.
- (c) Defendant shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed. R. Civ. P., no later than <u>February 1</u>, <u>2016</u>, and shall make expert witnesses available for depositions, and have depositions completed, no later than <u>March 1, 2016</u>.
- (d) The presumptive limits of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed. R. Civ. P., and twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed. R. Civ. P., shall **not** apply.

II. TELEPHONE HEARING

A telephone hearing on the record with counsel for both parties will be held on <u>Friday</u>, <u>August 7</u>, <u>2015 at 10:00 a.m.</u> The Court will initiate this telephone hearing.

Before the hearing, counsel for both sides should meet and confer and be prepared to discuss the following issues:

- (a) The status of discovery and the scope of the proposed class;
- (b) Whether the parties still anticipate using experts and taking expert depositions regarding class certification;
- (c) Whether it is necessary to set the deadline for filing a class certification motion on March 15, 2016, or whether that deadline can be set earlier (in no event will the deadline be later than March 15, 2016);
- (d) Whether, and how soon, this matter should be referred to alternative dispute resolution;

- (e) An appropriate hearing date for any motion for class certification.
- (f) Any other matter the parties would like to discuss with the Court.

Failure to comply with any part of this order may result in the imposition of sanctions.

CATHERINE D. PERRY

UNITED STATES DISTRICT JUDGE

Dated this 23rd day of April, 2015.